

IN THE DISTRICT COURT OF POTAWATOMIE COUNTY  
STATE OF OKLAHOMA

FILED  
IN THE DISTRICT COURT

MISSION AIR SUPPORT, INC. )  
Plaintiff, )  
v. )  
KSNL AERO, LLC, )  
Defendant. )

) Case No.: CJ-2021-306

OCT 15 2021

POTAWATOMIE COUNTY, OK  
VALERIE N. UELZEN, COURT CLERK  
BY DEPUTY

**PLAINTIFF'S FIRST DISCOVERY REQUEST TO DEFENDANT**

COMES NOW, the Plaintiff, Missions Air Support, Inc, by and through its attorney of record, Chase McBride and Nicholas Atwood, of the Ritchie, Rock, McBride & Atwood Law Firm, pursuant to 12 O.S. § 3236, authorizing the use of Admissions, 12 O.S. § 3233, authorizing the use of Interrogatories and 12 O.S. § 3234, authorizing the use of Requests for Production of Documents propounds the following Admissions, Interrogatories and Requests for Production to the Defendant, KSNL Aero, LLC, to be answered in writing within 30 days of your receipt or within 30 days of your Answer being filed, which ever comes later. Your responses with documents, materials and tangible things referenced therein are to be provided to counsel for the issuing Party, Chase McBride of the Ritchie, Rock, McBride & Atwood Law Firm at his office located at P.O. Box 246, Pryor, OK 74362. In answering these requests, all responsive information and documents shall be provided which is possessed by or available to you, your attorneys, investigators, insurers, experts, agents, employees or others in possession of responsive documentation to which you have a legal right to access.

You should note that these requests are continuing in nature. Pursuant to 12 O.S. §3226(E), you have a duty to promptly supplement your responses if you subsequently determine a response was incorrect or determine that a response which was correct when made is no longer true. Moreover, you are required to supplement your responses to requests that seek documents relating to the identity and location of persons having knowledge of discoverable matters and the identity of each person expected to be called as an expert witness at trial, the subject matter on which the expert is expected to testify, and the substance of the testimony of the expert.

You have an obligation to respond to this Discovery in good faith and provide full and complete answers. You are required to review all materials available to you in making your response. If you fail to answer or make improper objection to discovery you are subject to sanctions which include taxing attorney fees and costs, excluding evidence and/or entering judgment against you. An evasive or incomplete answer is considered a failure to answer. As a consequence, if you are uncertain as to what is required or if you have an objection to any portion of this Discovery, you should contact the issuing attorney and make a good faith effort to resolve that question or

dispute in advance of your response date. You should also review these instructions and comply with them in making your answers. Failure to comply with these instructions may result in the Court imposing sanctions against you.

### **DEFINITIONS**

Unless specifically stated below, all words shall be defined as stated in Black's Law Dictionary 8<sup>th</sup> edition. If a word is not specifically defined below, nor defined in Black's Law Dictionary, 8<sup>th</sup> Edition, the word shall be defined as stated in the most recent edition of Webster's Dictionary.

- A. "Identify" means to state the name, address and phone number of the persons or entities referenced or listed and other relevant information.
- B. "Documentation" refers to and includes all written, graphic or video material, or other tangible medium of every kind or description, however produced or recorded, including but not limited to notes, reports, records, correspondence, email, electronic records, repair orders, maintenance records, sales documents, memoranda, recordings of any type, financial statements, or other tangible objects which contain information. This term includes a hard copy print of any information stored on computer or by any other electronic means.
- C. "Statement" refers to any declaration of relevant matter adopted or approved by the person making it. This includes, but is not limited to, such information recorded by the person's handwriting, electronic audio recording, videotape, by a court reporter or a recitation of facts or opinions drafted by another and signed by the person providing the information.
- D. "Information or Evidence" encompasses any documentation, statement or other information.
- E. "KSNL" refers to the business entity or any agent(s) of KSNL Aero, LLC.
- F. "You" refers to the individual answering this discovery on behalf of KSNL, the business entity as a whole or any agent(s) of KSNL Aero, LLC.
- G. "MAS" refers to the business entity or any agent(s) of Mission Air Support, Inc.

### **ADMISSIONS**

**Admission #1:** Admit that there is not a written agreement between MAS And KSNL Aero, LLC.

**Admission #2:** Admit there was not a written agreement between MAS and KSNL regarding the Beechcraft King Air 200 aircraft with FAA Registration Number N32TP.

**Admission #3:** Admit there was not a written agreement between MAS and KSNL regarding the Beechcraft King Air 200 aircraft with FAA Registration Number N970KR.

**Admission #4:** Admit the Beechcraft King Air 200 aircraft with FAA Registration Number N970KR did not meet the FAA compliance rules after KSNL performed work on the aircraft.

**Admission #5:** Admit that MAS should be able to inspect and verify any work done to the Beechcraft King Air 200 aircraft with FAA Registration Number N32TP currently in KSNL's possession.

**Admission #6:** Admit that MAS paid in full for invoicing that was presented to them for Beechcraft King Air 200 aircraft with FAA Registration Number 970KR.

**Admission #7:** Admit that MAS made numerous attempts and offers to work to find a resolution for payment for Beechcraft King Air 200 aircraft with FAA Registration Number 32TP.

**Admission #8:** Admit that MAS stated they would pay for all work that could be verified as completed and in compliance with FAA guidelines for Beechcraft King Air 200 aircraft with FAA Registration Number 32TP.

**Admission #9:** Admit that on June 24, 2021 a KSNL representative sent an e-mail titled "Documents to continue work on N970KR and N32TP", asking for proper authorization to work on 32TP.

**Admission #10:** Admit that in this e-mail request for authorization, KSNL rep stated "We cannot continue further work until we have this on file, this is something that we usually do for all of our customers if someone is representing them at our facility".

**Admission #11:** Admit that in this e-mail a KSNL rep further stated "It is a necessary document that we always have to fill out wherever we do business."

**Admission #12:** Admit that a KSNL rep concluded the request for authorization stressing "I either have to show that I am a managing member of the LLC that owns the aircraft, and if not, then I must have an agent letter showing that the owner has given me his authorization to approve of work being done".

**Admission #13:** Admit that KSNL did not receive the proper authorization or signed documents as were requested in the June 24, 2021 e-mail titled "Documents to continue work on N970KR and N32TP".

## INTERROGATORIES

**Interrogatory No. 1:** Please state the names, employment title and contact information for each and every person providing answers to these discovery Reponses.

**Interrogatory No. 2:** If you deny any admissions, please state in detail the reason for your denial.

**Interrogatory No. 3:** Please identify all persons in which KSNL believes may have knowledge of any disputed issue or any facts regarding this case. In doing so, please state specifically the following:

- a. The name of the individual,
- b. The job title of the individual,
- c. What information KSNL believes they may know,
- d. How KSNL believes they gained knowledge of the information,
- e. The phone number, address of each person.

**Interrogatory No. 4:** Please identify all agents of MAS in which KSNL, or any representative or person acting on behalf of KSNL, has had communication with regarding the facts of this case from January, 2021 to present. In doing so, please state as follow:

- a. The Name of the person.
- b. The phone of the person.
- c. The date of the communication.
- d. The method of communication.
- e. The person phone number and address.
- f. The reason for the communication.

**Interrogatory No. 5:** If you believe there was, or is currently, any agreement or contract between KSNL and MAS, please stated the following regarding the terms:

- a. The date the agreement was made,
- b. The names of the individuals who entered the agreement on behalf of both MAS and KSNL,
- c. The exact terms of the agreement.
- d. Any consideration that was given by either MAS or KSNL under the agreement.

**Interrogatory No. 6:** Please provide an accounting and identify each individual charge in which KSNL believes it is owed from MAS. In doing so, please provide the following:

- a. The date the charge was incurred.
- b. A description of the charge.
- c. The amount of the charge.
- d. The individual who performed the work for the charge.

**Interrogatory No. 7:** Regarding work performed on the Beechcraft King Air 200 aircraft with FAA Registration Number N970KR and the Beechcraft King Air 200 aircraft with FAA Registration Number N32TP, please state the following for each aircraft:

- a. Each inspection, repair, modification, update or other type of work KSNL performed on each aircraft.
- b. The reason for the work being performed on each aircraft,
- c. The result of each piece of work performed on each aircraft.
- d. The name or the individual(s) who performed the work on each aircraft.

**Interrogatory No. 8:** Has KSNL, or any agent or employee, ever received a complaint, or been investigated by the FAA? If so, please state the following:

- a. The name of the agent(s) or employee(s).
- b. The date of the complaint or investigation.
- c. The reason for the complaint or investigation.
- d. The result of the complaint or investigation.

**Interrogatory No. 9:** Has KSNL ever been involved in any lawsuits? If so, please state the following:

- a. The date the lawsuit was filed.
- b. The date the lawsuit was resolved.
- c. The nature of the lawsuit.
- d. The jurisdiction, county and case number of the lawsuit.
- e. The style or name of the lawsuit.
- f. The outcome or resolution of the lawsuits.

**Interrogatory No. 10:** Please list all training, certificates or licenses in which KSNL or any of the employees who performed work on either of MAS's aircraft holds. In doing so, please state the following:

- a. The name of each person with training or holding a certificate or license.
- b. The name of the training, certificate or licenses.
- c. The date of the training, certificate or license.
- d. The provider or issuer of the training, certificate or license.
- e. The identification or issuing number for any certificate or license.

#### **REQUEST FOR PRODUCTION**

**Request for Production No. 1:** Please provide copies of all documents you intend to introduce as exhibits in motions, at trial or any other presentation to the Court in these proceedings.

**Request for Production No. 2:** Please provide all communication between KSNL and any representative of MAS from January, 2021 through present. This includes texts, email, messages or other forms of documented communication.

**Request for Production No. 3:** Please produce any documentation that supports any agreement or contract between MAS and KSNL.

**Request for Production No. 4:** Please provide all documentation in KSNL's possession regarding any FAA complaint, investigation or action against KSNL, or any of its employees or agents.

**Request for Production No. 5:** Please produce all documentation which KSNL believes supports there is any money owed by MAS.

**Request for Production No. 6:** Please produce all documentation regarding any work performed by KSNL on any aircraft owned by MAS.

**Request for Production No. 7:** Please produce any and all documentation which you reviewed or relied upon in forming any response to any Admission, Interrogatory or Request for Production not previously produced in another Request for Production.

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**Attorney for Mission Air Support, Inc.**